

1-1 By: Lucio S.B. No. 1695
 1-2 (In the Senate - Filed March 9, 2017; March 22, 2017, read
 1-3 first time and referred to Committee on Health & Human Services;
 1-4 May 4, 2017, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; May 4, 2017, sent
 1-6 to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1695 By: Uresti

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to mosquito control districts established for an urgent
 1-22 public health purpose.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Chapter 344, Health and Safety Code, is amended
 1-25 by designating Sections 344.001 through 344.007 as Subchapter A and
 1-26 adding a subchapter heading to read as follows:

1-27 SUBCHAPTER A. ESTABLISHMENT, OPERATION, AND DISSOLUTION OF
 1-28 MOSQUITO CONTROL DISTRICTS

1-29 SECTION 2. Chapter 344, Health and Safety Code, is amended
 1-30 by adding Subchapter B to read as follows:

1-31 SUBCHAPTER B. ESTABLISHMENT OF MOSQUITO CONTROL DISTRICTS FOR
 1-32 URGENT PUBLIC HEALTH PURPOSE

1-33 Sec. 344.051. DEFINITION. In this subchapter, "department"
 1-34 means the Department of State Health Services.

1-35 Sec. 344.052. LEGISLATIVE FINDINGS. The legislature finds
 1-36 that:

1-37 (1) scientists have concluded the Zika virus is a
 1-38 cause for microcephaly and other severe fetal brain defects;

1-39 (2) the department has reported that counties in the
 1-40 Gulf Coast region and on the international border with Mexico are at
 1-41 the highest risk in this state of developing localized cases of the
 1-42 Zika virus;

1-43 (3) Cameron County, which is located on the
 1-44 international border with Mexico, has had as of December 2016 at
 1-45 least five documented cases of locally transmitted Zika virus;

1-46 (4) the powers of a mosquito control district may be
 1-47 effective in combating the increased risk of transmission of the
 1-48 Zika virus; and

1-49 (5) there is an urgent public health purpose for
 1-50 establishing a mosquito control district in Cameron and Hidalgo
 1-51 Counties and other high-risk counties to contain, eradicate, and
 1-52 treat problems associated with communicable diseases, including
 1-53 the Zika virus, the dengue virus, and the chikungunya virus, that
 1-54 are carried by mosquitoes.

1-55 Sec. 344.053. APPLICABILITY OF SUBCHAPTER. This subchapter
 1-56 applies only to a county located on the international border with
 1-57 Mexico:

1-58 (1) for which the department has documented a locally
 1-59 transmitted case of the Zika virus; or

1-60 (2) that is adjacent to a county described by
 1-61 Subdivision (1).

2-1 Sec. 344.054. ESTABLISHMENT. A county described by Section
2-2 344.053 may establish an urgent public health mosquito control
2-3 district on issuance of an order by the county judge or
2-4 commissioners court of the county stating that an urgent public
2-5 health purpose requires establishment of the district and ordering
2-6 an election under Section 344.001.

2-7 Sec. 344.055. DUTIES OF COUNTY ESTABLISHING DISTRICT. A
2-8 county that establishes an urgent public health mosquito control
2-9 district under this subchapter shall:

2-10 (1) conduct surveillance of vectors carrying
2-11 communicable disease;

2-12 (2) address the capacity of the county public health
2-13 infrastructure, including by:

2-14 (A) establishing and operating communicable
2-15 disease and illness identification laboratories;

2-16 (B) training and hiring public health personnel
2-17 and research fellows;

2-18 (C) matching state, federal, and private
2-19 initiatives and efforts aimed at addressing and mitigating health
2-20 and environmental conditions that contribute to the breeding,
2-21 development, and spread of vectors carrying communicable disease;

2-22 (D) testing county residents for communicable
2-23 diseases and providing medical treatment to county residents who
2-24 have communicable diseases; and

2-25 (E) funding prevention measures and initiatives
2-26 to protect county residents from vectors carrying communicable
2-27 disease; and

2-28 (3) address the prevention and spread of vectors
2-29 carrying communicable disease by funding efforts to inform people
2-30 about the prevention and spread through community campaigns and
2-31 regional information efforts.

2-32 Sec. 344.056. SPECIAL PUBLIC HEALTH ADVISORY COMMITTEE.

2-33 (a) In this section, "committee" means the special public health
2-34 advisory committee established under this section.

2-35 (b) Notwithstanding Section 344.004, the commissioners
2-36 court of a county that establishes an urgent public health mosquito
2-37 control district under this subchapter shall establish a special
2-38 public health advisory committee.

2-39 (c) The commissioners court shall appoint seven members to
2-40 the committee as follows:

2-41 (1) one member who is the county public health
2-42 administrator;

2-43 (2) three members who are public health administrators
2-44 at the executive director level in the most populated
2-45 municipalities in the county; and

2-46 (3) three members who are property taxpaying voters of
2-47 the county.

2-48 (d) The commissioner of state health services shall appoint
2-49 one delegate to serve as a nonvoting, ex officio member of the
2-50 committee.

2-51 (e) The county judge shall designate one committee member
2-52 appointed under Subsection (c) as the presiding officer of the
2-53 committee. The committee meets at the call of the presiding
2-54 officer.

2-55 (f) A committee member serves without compensation.

2-56 (g) A committee member must take an oath of office
2-57 prescribed by the commissioners court.

2-58 (h) The committee shall:

2-59 (1) make written recommendations to the commissioners
2-60 court that the committee considers necessary to:

2-61 (A) address the urgent public health purpose of
2-62 the mosquito control district established under this subchapter;
2-63 and

2-64 (B) implement the district's duties; and

2-65 (2) perform any other duty assigned to the committee
2-66 by the commissioners court.

2-67 Sec. 344.057. MOSQUITO CONTROL PERSONNEL. The
2-68 commissioners court of a county that establishes an urgent public
2-69 health mosquito control district under this subchapter may appoint:

3-1 (1) a mosquito control engineer as provided by Section
 3-2 344.005; or
 3-3 (2) any other public health professional the
 3-4 commissioners court determines is necessary to carry out the duties
 3-5 of the district and to address the recommendations of the special
 3-6 public health advisory committee established under Section
 3-7 344.056.

3-8 SECTION 3. This Act takes effect immediately if it receives
 3-9 a vote of two-thirds of all the members elected to each house, as
 3-10 provided by Section 39, Article III, Texas Constitution. If this
 3-11 Act does not receive the vote necessary for immediate effect, this
 3-12 Act takes effect September 1, 2017.

3-13 * * * * *